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November 7, 2022

**VIA ELECTRONIC FILING**

The Honorable Maryellen Noreika  
U.S. District Court for the District of Delaware  
J. Caleb Boggs Federal Building  
844 North King Street  
Wilmington, DE 19801

Re: *ecobee, Inc. v. EcoFactor, Inc.*, C.A. No. 21-323-MN

Dear Judge Noreika:

Pursuant to paragraph 13 of the Court's Revised Scheduling Order (D.I. 29), the parties have conferred and request a total 3 hours for the December 8, 2022 Claim Construction Hearing, split evenly between the parties. Neither party intends to present testimony at the hearing.

Should Your Honor have any further questions, we are available at the Court's convenience.

Respectfully,

*/s/ Bindu A. Palapura*

Bindu A. Palapura

BAP:nmt/10426280/21090.00001

cc: Clerk of Court (via hand delivery)  
Counsel of Record (via electronic mail)